IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 10251 of 1995

Between:

Vepuri Lingaiah S/O Veeramallu
Shangonda Village, Odela Mandal,
Karimnagar

..... PETITIONER

AND

1 The District Collector, Karimnagar
2 The Revenue Divisional Officer
Pedapally Mandal Karimnagar
3 The Executive Engineer, Karimnagar
4 The M.R.O., Odela Mandal, Karimnagar
5 The Mandal Development Officer, Odela Mandal Karimnagar
6 R. Saraiah
7 E. Linga Rao, Karimnagar
8 A. Rajeshwara Rao, Karimnagar
9 E. Sampat Rao, Karimnagar
10 B. Chandraiah, Karimnagar

(R6 to R10 are impleaded as per Court order

dt.31-8-1995 in W.P.M.P.No.23906 of 1995)

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly a writ of mandamus Directing the respondent not to dug the well at the distance of 38 meters from that of the petitioner's well, without following the provisions of A.P. Irrigation (Cons & Main of Water Courses) Act, 1965 and to declare the same as illegal, void and the same is voilative of principles of natural justice

Counsel for the Petitioner: MR.R.DAYANANDA REDDY (not present)

Counsel for the Respondent Nos.1 to 5: GP FOR PANCHAYAT RAJ & RURAL DEV.

Counsel for the Respondent Nos. 6 to 10: MR.A.SUDERSHAN REDDY

The Court made the following:

ORDER:

The present writ petition is filed seeking the relief as under:

> "Directing the respondent not to dug the well at the distance of 38 meters from that of the petitioner's well, without following the provisions of A.P. Irrigation (Cons & Main of Water Courses) Act, 1965 and to declare the same as illegal, void and the same is voilative of principles of natural justice".

Yesterday none appeared for the petitioner. Today also none appeared for the petitioner nor any representation made on his behalf.

Learned Government Pleader for Panchayat Raj submitted that the cause in the writ petition does not survive and the matter has become infructuous. In the circumstances, the writ petition is dismissed as infructuous. No costs.

(N.V. RAMANA, J.)

29-09-2004

es/tvk

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Karimnagar
2 The Revenue Divisional Officer, Pedapally Mandal Karimnagar
3 The Executive Engineer, Karimnagar
4 The M.R.O., Odela Mandal, Karimnagar
5 The Mandal Development Officer, Odela Mandal, Karimnagar
6. 2CCs to Government Pleader for Panchayat Raj and Rural Development, High Court buildings, Hyderabad (OUT).

7. 2CD copies